

# House File 288 - Introduced

HOUSE FILE 288

BY SALMON

## A BILL FOR

1 An Act relating to requirements for specific digital  
2 content-blocking capabilities on devices manufactured,  
3 distributed, leased, or sold and services distributed,  
4 leased, or sold in the state that make the internet  
5 accessible, and the collection and remittance of fees for  
6 certain related activities, providing for criminal penalties  
7 and civil liability for certain violations, and including  
8 applicability provisions.  
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   710B.1   Short title.

2     This chapter shall be known and may be cited as the  
3     *"Modernization Decency Act"*.

4     Sec. 2. NEW SECTION.   710B.2   Definitions.

5     As used in this chapter, unless the context otherwise  
6     requires:

7     1. *"Adult live entertainment establishment"* means a place  
8     of business where commercial sexual activity, full or partial  
9     nudity, sex acts, or sexually explicit performances may be  
10    available for viewing by patrons of the establishment.

11    2. *"Algorithm"* means a process or set of rules to be  
12    followed in calculations or other problem-solving operations,  
13    especially by a computer.

14    3. *"Child pornography"* means the same as defined in 18  
15    U.S.C. §2256(8).

16    4. *"Commercial sexual activity"* means the same as defined  
17    in section 710A.1.

18    5. *"Computer"* means the same as defined in 18 U.S.C. §1030  
19    (e)(1).

20    6. *"Consumer"* means an individual who purchases or leases a  
21    device or purchases or leases a service that makes the internet  
22    accessible from a person in this state that manufactures,  
23    distributes, leases, or sells such a device or distributes,  
24    leases, or sells such a service.

25    7. *"Digital content-blocking capability"* means hardware  
26    or software that restricts or blocks internet access to  
27    internet-based sites and internet-hosted content based on the  
28    specific internet site or the category or type of content of  
29    the internet-hosted content.

30    8. *"Disseminate"* means the same as defined in section 728.1.

31    9. *"Facilitate"* means to enable or to advance.

32    10. *"Full or partial nudity"* means the same as defined in  
33    section 708.7.

34    11. *"Human trafficking"* means the same as defined in section  
35    710A.1.

- 1     12. "*Knowingly*" means the same as defined in section 728.1.  
2     13. "*Minor*" means the same as defined in section 728.1.  
3     14. "*Nongovernmental*" means a charitable organization under  
4 section 501(c)(3) of the Internal Revenue Code that has as  
5 the organization's primary purpose ending sexual violence in  
6 the state. The organization may be involved with programs  
7 for the prevention of sexual violence, or providing technical  
8 assistance and support to youth and rape crisis centers.  
9     15. "*Obscene material*" means the same as defined in section  
10 728.1.  
11    16. "*Personal identifying information*" means an unexpired  
12 student identification card, a valid social security card,  
13 an unexpired driver's license, an unexpired nonoperator's  
14 identification card, an unexpired passport, a certified copy  
15 of a birth certificate, or other valid, unexpired proof of  
16 identity.  
17    17. "*Photograph or film*" means the same as defined in  
18 section 708.7.  
19    18. "*Place of business*" means the same as defined in section  
20 728.1.  
21    19. "*Political speech*" means speech relating to social  
22 issues or to federal, state, or local government.  
23    20. "*Prostitution*" means the same as described in section  
24 725.1.  
25    21. "*Religious speech*" means speech related to an  
26 individual's sincerely held religious, ethical, or moral  
27 beliefs.  
28    22. "*Revenge pornography*" means a photograph or film  
29 showing another person in a state of full or partial nudity or  
30 engaged in a sex act that has been disseminated, published,  
31 distributed, or posted without the consent of the person in the  
32 photograph or film.  
33    23. "*Sex act*" means the same as defined in section 702.17.  
34    24. "*Sexually explicit performance*" means the same as  
35 defined in section 710A.1.

1     25. "*Social media internet site*" means an internet site or  
2 internet-based application that allows a user of the internet  
3 site or of the internet-based application to communicate with  
4 other users of the internet site or of the internet-based  
5 application via community-based input, interaction,  
6 content-sharing, or collaboration, and the internet site or  
7 the internet-based application meets all of the following  
8 requirements:

- 9     a. Is owned or operated by a person in this state.  
10    b. Is available for use by the general public.  
11    c. Has more than seventy-five million registered users.  
12    d. Has not been specifically affiliated with any one  
13 religion or any one political party since the internet site  
14 or internet-based application became available to the general  
15 public.  
16    e. Has a policy and procedure for users to report obscene  
17 material and for the removal of user reported obscene material  
18 from the internet site or the internet-based application.

19     26. "*User*" means a natural person who utilizes or makes use  
20 of a social media internet site.

21     Sec. 3. NEW SECTION. 710B.3 Digital content-blocking  
22 capability requirements.

23     A person in this state that manufactures, distributes,  
24 leases, or sells a device or that distributes, leases, or sells  
25 a service that makes the internet accessible to a consumer  
26 shall not manufacture, distribute, lease, or sell the device or  
27 distribute, lease, or sell the service without an active and  
28 operating digital content-blocking capability that blocks all  
29 internet sites that contain any of the following:

- 30     1. Obscene material.  
31     2. Revenge pornography.  
32     3. Sexual exploitation of a minor as described in section  
33 728.12.  
34     4. Promotion or facilitation of prostitution.  
35     5. Promotion or facilitation of human trafficking.

1     6. Child pornography.

2     Sec. 4. NEW SECTION. 710B.4 Duty to maintain appropriate  
3 functioning of digital content-blocking capabilities.

4     A person in this state that manufactures, distributes,  
5 leases, or sells a device or that distributes, leases, or sells  
6 a service that makes the internet accessible to a consumer of  
7 the device or service shall do all of the following:

8     1. Make reasonable and ongoing efforts to ensure proper  
9 functioning of the digital content-blocking capability in all  
10 devices manufactured, distributed, leased, or sold and in all  
11 services distributed, leased, or sold.

12    2. Provide routine digital content-blocking updates to  
13 a consumer who has purchased or leased a device or service  
14 containing digital content-blocking to ensure the ongoing  
15 quality and performance of the digital content-blocking.

16    3. Establish a telephone call center or internet  
17 site for a consumer to report a failure of the digital  
18 content-blocking requirements of this chapter or to report  
19 digital content-blocking of an internet site not subject to the  
20 requirements of section 710B.3.

21    4. Report any reports of child pornography received through  
22 a telephone call center or internet site to the national center  
23 for missing and exploited children cybertipline.

24    5. Investigate a consumer's report of a violation of  
25 this chapter and provide the consumer an appropriate digital  
26 content-blocking update within thirty days of the consumer's  
27 initial report if a violation of section 710B.3 has occurred.

28    6. Investigate a consumer's initial report of digital  
29 content-blocking of an internet site not subject to the  
30 requirements of section 710B.3 and, if appropriate, enable the  
31 consumer's access to the internet site within thirty days of  
32 the consumer's initial report.

33    Sec. 5. NEW SECTION. 710B.5 Prohibition on digital  
34 content-blocking of certain internet sites.

35    A person in this state that manufactures, distributes,

1 leases, or sells a device or that distributes, leases, or sells  
2 a service that makes the internet accessible to a consumer of  
3 the device or service shall not use digital content-blocking  
4 on any such device or service to make any of the following  
5 internet sites inaccessible:

6 1. A social media internet site.

7 2. An internet site not specified in section 710B.3.

8 3. An internet site that has the primary function of serving  
9 as a search engine.

10 4. An internet site that makes movies available that are  
11 rated restricted or below by the classification and ratings  
12 administration of the motion picture association of America.

13 Sec. 6. NEW SECTION. 710B.6 Restrictions on deactivation of  
14 digital content-blocking capability.

15 1. A person in this state that manufactures, distributes,  
16 leases, or sells a device or that distributes, leases, or  
17 sells a service that makes the internet accessible shall not  
18 share, sell, or distribute a method, source code, or any  
19 other instruction to deactivate the digital content-blocking  
20 capability of the device or service unless all of the following  
21 apply:

22 a. A consumer who purchased the device or service submits a  
23 written request for deactivation.

24 b. The consumer provides personal identifying information  
25 that proves the consumer is eighteen years of age or older.

26 c. The manufacturer, distributor, lessor, or seller of the  
27 device or the distributor, lessor, or seller of the service  
28 provides the consumer with a written warning that outlines the  
29 dangers of deactivation. The attorney general shall adopt by  
30 rule pursuant to chapter 17A a written warning which may be  
31 used in substantial form by any person required to provide the  
32 written warning to a consumer as provided in this paragraph.

33 d. The consumer signs an acknowledgment that a written  
34 warning has been provided.

35 e. The consumer pays a one-time twenty dollar deactivation

1 fee to be deposited into the human trafficking and child  
2 exploitation prevention fund established pursuant to section  
3 710B.7.

4     2. A person in this state that manufactures, distributes,  
5 leases, or sells a device or that distributes, leases, or sells  
6 a service that makes the internet accessible to a consumer  
7 may charge the consumer an additional fee in order for the  
8 manufacturer, distributor, lessor, or seller to deactivate the  
9 digital content-blocking capability of the device or service.  
10 The fee must be reasonable and the manufacturer, distributor,  
11 lessor, or seller may retain the fee.

12     Sec. 7. NEW SECTION. 710B.7 Human trafficking and child  
13 exploitation prevention fund.

14     1. A manufacturer, distributor, lessor, or seller of  
15 a device or a distributor, lessor, or seller of a service  
16 that makes the internet accessible shall annually remit all  
17 deactivation fees collected under section 710B.6, subsection  
18 1, paragraph "e", to the treasurer of state in the manner  
19 prescribed by the treasurer of state.

20     2. An adult live entertainment establishment shall remit  
21 all adult live entertainment establishment fees collected  
22 pursuant to section 710B.10 to the treasurer of state in the  
23 manner prescribed by the treasurer of state.

24     3. The treasurer of state shall adopt rules pursuant to  
25 chapter 17A to administer subsections 1 and 2.

26     4. A human trafficking and child exploitation prevention  
27 fund is created in the state treasury as a separate fund under  
28 the control of the department of justice. All moneys deposited  
29 or paid into the fund pursuant to subsections 1 and 2, and  
30 all gifts, grants, donations, and bequests deposited into the  
31 fund, are appropriated and made available to the department  
32 of justice to be used for administration of the fund and to  
33 provide grants to governmental and nongovernmental entities  
34 and individuals involved with upholding community standards of  
35 decency, strengthening families, or developing, expanding, or

1 strengthening programs for child victims of human trafficking,  
2 to be used for any of the following:

- 3     *a.* Rape kit testing.
- 4     *b.* Physical and mental health services.
- 5     *c.* Temporary and permanent housing or shelter.
- 6     *d.* Employment, education, and job training.
- 7     *e.* Training first responders and educational campaigns for  
8 the public to increase awareness to prevent, and to protect  
9 victims of, human trafficking, domestic violence, prostitution,  
10 child abuse, and rape.
- 11    *f.* Medical examination costs pursuant to section 915.41.
- 12    *g.* The department of justice's prosecutor-based victim  
13 service coordination, including the duties defined in sections  
14 910.3 and 910.6.
- 15    *h.* Awarding funds to programs that provide services and  
16 support to victims of domestic abuse pursuant to chapter 236.
- 17    *i.* Victims of sexual abuse as provided in chapter 236A.
- 18    *j.* Reimbursement to the Iowa law enforcement academy for  
19 domestic abuse and human trafficking training.
- 20    *k.* Support of an automated victim notification system  
21 pursuant to section 915.10A.
- 22    *l.* Training for victim service providers.
- 23    *m.* Victim service programming.
- 24    *n.* Training concerning homicide, domestic assault, sexual  
25 assault, stalking, and harassment.
- 26    *o.* To conduct outreach, public awareness, and training on  
27 human trafficking pursuant to section 710A.6.
- 28    *p.* To support technology in rape crisis centers.
- 29    *q.* Family counseling.
- 30    *r.* Creative arts that do not contain or promote obscene  
31 material.
- 32    *s.* Support of the office to combat human trafficking  
33 established pursuant to section 80.45.
- 34    *t.* State agency support programs assisting victims of human  
35 trafficking.



1     u. Support of the state's initiatives on human trafficking,  
2 programs upholding community standards of decency, and state  
3 security.

4     v. Human trafficking enforcement programs.

5     5. Interest on the fund shall be deposited into the fund.  
6 A portion of the interest in the fund, not to exceed fifteen  
7 percent of the total interest accrued, shall be used for  
8 administration of the fund.

9     6. Notwithstanding section 8.33, any balance in the fund on  
10 June 30 of any fiscal year shall not revert to the general fund  
11 of the state.

12    7. On or before February 15, the attorney general shall  
13 submit an annual report to the general assembly that includes  
14 all of the following information as related to the fund:

15     a. The total amount of deactivation fees deposited into the  
16 fund pursuant to subsection 1.

17     b. The total amount of adult live entertainment  
18 establishment fees deposited into the fund pursuant to  
19 subsection 2.

20     c. Each recipient of a grant from the fund and the purpose  
21 of each grant.

22    Sec. 8. NEW SECTION. 710B.8 Criminal liability.

23     1. A person in this state that knowingly manufactures,  
24 distributes, leases, or sells a device or that knowingly  
25 distributes, leases, or sells a service that makes the internet  
26 accessible and that is in violation of section 710B.3 or 710B.6  
27 shall be subject to a scheduled violation of one thousand  
28 dollars for a first offense and two thousand five hundred  
29 dollars for a second offense.

30     2. A person in this state that knowingly manufactures,  
31 distributes, leases, or sells a device or that knowingly  
32 distributes, leases, or sells a service that makes the internet  
33 accessible and that is in violation of section 710B.3 or 710B.6  
34 three or more times commits a simple misdemeanor.

35     3. A person in this state that knowingly manufactures,

1 distributes, leases, or sells a device or that knowingly  
2 distributes, leases, or sells a service that makes the internet  
3 accessible and that violates section 710B.3 or 710B.6 commits  
4 an unfair or deceptive trade practice in violation of section  
5 714.16, subsection 2, paragraph "a".

6 4. The affirmative defense specified in section 728.10  
7 shall apply to this section.

8 Sec. 9. NEW SECTION. 710B.9 Civil cause of action and  
9 injunctive relief.

10 1. A consumer who purchases a device or service from a  
11 person in this state that manufactures, distributes, leases,  
12 or sells a device or that distributes, leases, or sells a  
13 service that makes the internet accessible may bring a civil  
14 action seeking relief and recover up to five hundred dollars in  
15 damages per reported failure plus reasonable attorney fees and  
16 court costs if the person's violation is substantiated pursuant  
17 to an investigation conducted under section 710B.4, subsection  
18 5.

19 2. The attorney general or county attorney may seek  
20 injunctive relief if a person in this state that manufactures,  
21 distributes, leases, or sells a device or that distributes,  
22 leases, or sells a service that makes the internet accessible  
23 to a consumer of the device or service violates section 710B.3  
24 or 710B.4.

25 3. It shall be an affirmative defense in a civil action  
26 pursuant to this section that a consumer purchased or leased  
27 a device or service that makes the internet accessible from a  
28 person in this state that manufactures, distributes, leases,  
29 or sells such a device or that distributes, leases, or sells  
30 such a service, and the device or service did not digitally  
31 block content pursuant to the requirements of section 710B.3  
32 because the internet site that is not blocked is the registered  
33 domain of an institution or organization that has a scientific,  
34 educational, artistic, literary, or similar justification for  
35 making the content specified in section 710B.3 accessible.

1     Sec. 10. NEW SECTION.   710B.10   Adult live entertainment  
2   establishment fee.

3     1. Each adult live entertainment establishment located in  
4 the state shall collect a five dollar fee from each individual  
5 allowed entry into the establishment for purposes of adult live  
6 entertainment.

7     2. All fees collected pursuant to subsection 1 shall be  
8 deposited into the human trafficking and child exploitation  
9 prevention fund pursuant to section 710B.7, subsection 2.

10    3. The director of revenue shall adopt rules pursuant to  
11 chapter 17A to administer this section.

12    Sec. 11. NEW SECTION.   710B.11   Applicability.

13    1. The sections of this Act relating to persons in this  
14 state that manufacture, distribute, lease, or sell a device  
15 or that distribute, lease, or sell a service that makes the  
16 internet accessible to a consumer apply to a person in this  
17 state that manufactures, distributes, leases, or sells the  
18 device or that distributes, leases, or sells a service on or  
19 after the effective date of this Act.

20    2. The sections of this Act relating to persons in this  
21 state that manufacture, distribute, lease, or sell a device  
22 or that distribute, lease, or sell a service that makes the  
23 internet accessible to a consumer do not apply to a person in  
24 this state that manufactures, distributes, leases, or sells a  
25 device or that distributes, leases, or sells a service that  
26 makes the internet accessible to a consumer if the device or  
27 service was produced, sold, leased, or purchased prior to the  
28 effective date of this Act.

29    3. The sections of this Act relating to persons in this  
30 state that manufacture, distribute, lease, or sell a device  
31 or that distribute, lease, or sell a service that makes the  
32 internet accessible to a consumer do not apply to any of the  
33 following:

34    a. The sale of a device or service that makes the internet  
35 accessible to a consumer by a person that is not regularly

1 engaged in the business of selling devices or services that  
2 make the internet accessible.

3        *b.* The owner or operator of an independent third-party  
4 router that is not affiliated with an internet service  
5 provider.

6 c. A person that is not subject to the jurisdiction of the  
7 state that manufactures, distributes, leases, or sells a device  
8 or that distributes, leases, or sells a service that makes the  
9 internet accessible to a consumer.

10	EXPLANATION
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11 The inclusion of this explanation does not constitute agreement with  
12 the explanation's substance by the members of the general assembly.

13       This bill relates to requirements for specific digital  
14 content-blocking capabilities on devices manufactured,  
15 distributed, leased, or sold and services distributed, leased,  
16 or sold in the state that make the internet accessible, the  
17 prohibition of certain restrictions on specific types of  
18 speech on social media internet sites, and the collection and  
19 remittance of fees for certain activities, and provides for  
20 criminal and civil liability.

21       The bill prohibits a person that manufactures, distributes,  
22 leases, or sells a device or that distributes, leases, or sells  
23 a service from manufacturing, distributing, leasing, or selling  
24 the device or that distributes, leases, or sells the service  
25 without an active and operating digital content-blocking  
26 capability that blocks any internet site that contains material  
27 that is obscene, constitutes sexual exploitation of a minor,  
28 promotes or facilitates prostitution, promotes or facilitates  
29 human trafficking, contains child pornography, or contains  
30 revenge pornography.

31 The bill requires such a person to make reasonable and  
32 ongoing efforts to ensure proper functioning of the digital  
33 content-blocking capability, to provide routine updates for the  
34 digital content-blocking to a consumer who has purchased or  
35 leased a device or service containing digital content-blocking,

1 to establish a call center or internet site that allows  
2 consumers to report a failure of the digital content-blocking  
3 or to report digital content-blocking of an internet site that  
4 is not required to be blocked. In addition, such a person  
5 is required to investigate a consumer's report of a failure  
6 to comply with the bill, provide the consumer an appropriate  
7 update of the digital content-blocking capability within 30  
8 days of the consumer's initial report, investigate any consumer  
9 report of digital content-blocking of an internet site that  
10 is not required to be blocked, and if appropriate, enable the  
11 consumer's access to the incorrectly blocked internet site  
12 within 30 days of the consumer's initial report.

13 The bill prohibits digital content-blocking of social media  
14 internet sites that have existing processes to manage consumer  
15 complaints or digital content-blocking of any internet site  
16 that does not contain the following material: 1) obscene  
17 material, 2) revenge pornography, 3) sexual exploitation  
18 of a minor, 4) child pornography, or 5) the promotion or  
19 facilitation of prostitution or human trafficking. The bill  
20 also prohibits digital content-blocking of an internet site  
21 that has the primary function of serving as a search engine or  
22 an internet site that makes movies available that are rated  
23 restricted or below.

24 The bill prohibits a manufacturer, distributor, lessor,  
25 or seller from sharing, selling, or distributing a method,  
26 source code, or any other instruction to deactivate a digital  
27 content-blocking capability unless a consumer who purchases a  
28 product submits a written request for deactivation, provides  
29 proof the consumer is age 18 or older, signs an acknowledgment  
30 that a written warning outlining the dangers of deactivation  
31 has been provided by the manufacturer, distributor, lessor,  
32 or seller, and pays a one-time \$20 deactivation fee. The  
33 bill also allows a manufacturer, distributor, lessor, or a  
34 seller to charge a consumer an additional fee in order for the  
35 manufacturer, distributor, lessor, or seller to deactivate the

1 digital content-blocking capability of the product. The fee  
2 must be reasonable and the manufacturer, distributor, lessor,  
3 or seller may retain the fee.

4 The manufacturer, distributor, lessor, or seller must  
5 annually remit all deactivation fees that are collected to  
6 the treasurer of state. The treasurer of state shall deposit  
7 all deactivation fees received into the human trafficking and  
8 child exploitation prevention fund established in the bill.  
9 All moneys deposited or paid into the fund are appropriated  
10 and made available to the department of justice to be used to  
11 provide grants to governmental and nongovernmental entities  
12 and individuals involved with upholding community standards of  
13 decency, strengthening families, or developing, expanding, or  
14 strengthening programs for child victims of human trafficking  
15 to be used for any of the purposes specified in the bill.

16 A person in this state that knowingly manufactures,  
17 distributes, leases, or sells a device or that knowingly  
18 distributes, leases, or sells a service that makes the internet  
19 accessible and that violates a provision of the bill related to  
20 digital content-blocking is subject to a scheduled violation  
21 of \$1,000 for a first offense and \$2,500 for a second offense,  
22 and commits a simple misdemeanor if the person commits three or  
23 more offenses. A person also commits an unfair or deceptive  
24 trade practice by violating a provision of the bill related to  
25 digital content-blocking.

26 The bill provides for a civil cause of action if a person  
27 that manufactures, distributes, leases, or sells a device  
28 or that distributes, leases, or sells a service that makes  
29 the internet accessible does not respond appropriately to a  
30 consumer's report of a failure of the digital content-blocking  
31 capability requirement. A consumer that purchased the product  
32 may bring a civil action seeking relief and recover up to \$500  
33 in damages per reported failure, plus reasonable attorney fees  
34 and court costs. The attorney general or county attorney may  
35 seek injunctive relief if devices or services are sold or

1 leased without the required digital content-blocking or the  
2 manufacturer, distributor, or if a seller fails to maintain the  
3 digital content-blocking capabilities or fails to respond as  
4 required to a consumer complaint.

5 It is an affirmative defense in a civil action asserting  
6 that a consumer purchased a device or service that makes  
7 the internet accessible from a person in this state that  
8 manufactures, distributes, leases, or sells such a device or  
9 that distributes, leases, or sells such a service that the  
10 device or service did not digitally block content as required  
11 by the bill or that the internet site that is not blocked is  
12 the registered domain of an institution or organization that  
13 has a scientific, educational, artistic, literary, or similar  
14 justification for making the content accessible.

15 The bill requires each adult live entertainment  
16 establishment located in the state to collect a \$5 fee  
17 from each individual allowed entry into the establishment  
18 for purposes of adult live entertainment. "Adult live  
19 entertainment establishment" is defined in the bill as a place  
20 of business where commercial sexual activity, full or partial  
21 nudity, sex acts, or sexually explicit performances may be  
22 available for viewing by patrons of the establishment. All of  
23 the collected fees must be deposited in the human trafficking  
24 and child exploitation prevention fund. The director of  
25 revenue is required to adopt rules to administer the collection  
26 and deposit of such fees.

27 The sections of the bill relating to persons in this state  
28 that manufacture, distribute, lease, or sell a device or that  
29 distribute, lease, or sell a service that makes the internet  
30 accessible to a consumer apply to a person in this state that  
31 manufactures, distributes, leases, or sells such a device or  
32 that distributes, leases, or sells such a service on or after  
33 the effective date of the bill.

34 The sections of the bill relating to persons in this state  
35 that manufacture, distribute, lease, or sell a device or that

1 distribute, lease, or sell a service that makes the internet  
2 accessible to a consumer do not apply to a person in this state  
3 that manufactures, distributes, leases, or sells a device or  
4 that distributes, leases, or sells a service that makes the  
5 internet accessible to a consumer if the device or service was  
6 produced, sold, leased, or purchased prior to the effective  
7 date of the bill.

8     The sections of the bill relating to persons in this state  
9 that manufacture, distribute, lease, or sell a device or that  
10 distribute, lease, or sell a service that makes the internet  
11 accessible to a consumer do not apply to the sale of a device  
12 or service that makes the internet accessible to a consumer  
13 by a person that is not regularly engaged in the business of  
14 selling devices or services that make the internet accessible,  
15 the owner or operator of an independent third-party router  
16 that is not affiliated with an internet service provider, or  
17 a person that is not subject to the jurisdiction of the state  
18 that manufactures, distributes, leases, or sells a device or  
19 that distributes, leases, or sells a service that makes the  
20 internet accessible to a consumer.